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## *Counsel for Non-Party LG Electronics, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ORACLE AMERICA, INC., ) Case No. 3:10-cv-03561 WHA  
Plaintiff, )  
vs. )  
GOOGLE INC., ) **DECLARATION OF AMERI R. KLAFETA**  
Defendant. ) **IN SUPPORT OF NON-PARTY LG**  
 ) **ELECTRONICS, INC.'S ADMINISTRATIVE**  
 ) **MOTION TO CHANGE TIME TO FILE**  
 ) **MOTION FOR PROTECTIVE ORDER**  
 ) Dept.: Courtroom 8, 19<sup>th</sup> Floor  
 ) Judge: Honorable William Alsup  
)

1 I, AMERI R. KLAFFETA, declare as follows:

2       1. I am of counsel at EIMER STAHL LLP and counsel to Non-Party LG Electronics,  
3 Inc. (“LG”). I am duly licensed to practice law in the State of California. I submit this declaration  
4 in support of LG’s Motion to Change Time to File Motion for Protective Order. I have knowledge  
5 of the facts set forth herein, and if called to testify as a witness thereto could do so competently  
6 under oath.

7       2. On January 7, 2016, Non-Party LG received notice from Defendant Google Inc.  
8 (“Google”) that Google intended to produce in connection with this litigation certain LG documents  
9 in its possession relating to the Android open source software stack. At the time, Google did not  
10 identify the LG documents it intended to produce. On January 26, 2016, Google finally provided  
11 copies of all LG documents it intends to produce. Four of the documents Google intends to  
12 produce are not responsive to the request for production, irrelevant, not proportional to the needs of  
13 the case, and highly confidential. LG intends to seek a protective order preventing the production  
14 of these documents.

15       3. As a non-party to the litigation and a foreign corporation, it has taken LG a  
16 significant amount of time to review the filings, documents and correspondence necessary to gain  
17 an understanding of this long-running, complex litigation. LG needs additional time to meet and  
18 confer with the parties in this litigation regarding production of the requested documents. In  
19 addition, LG’s Korea offices are closed for the Lunar New Year, and the individuals LG needs to  
20 consult in order to file the Motion for Protective Order are on holiday and thus unavailable.

21       4. On the morning of February 8, 2016, counsel for LG contacted counsel for Plaintiff  
22 and Defendant to determine whether they have any objection to the requested extension, but has not  
23 yet received their decision.

24       5. If the Court does not grant the Motion for Extension, LG will suffer substantial  
25 harm. The four documents contain highly sensitive commercial information, and LG will be  
26 seriously harmed with respect to its competitors and customers if the documents are produced.

27       6. LG has not sought any prior time modifications in this litigation.

1       7.     As a non-party to the litigation, it is unknown to LG how the time modification will  
2 affect the schedule for the case.

3  
4       I declare under penalty of perjury under the laws of the State of California that the  
5 foregoing is true and correct. Executed this 8th day of February 2016, at Chicago, Illinois.

6  
7       By:    /s/ Ameri R. Klafeta  
8                   Ameri R. Klafeta  
9                   One of the Attorneys for Non-Party LG  
10                  Electronics, Inc.  
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